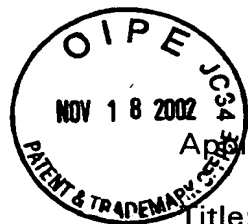


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11-21-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 016778/0417



Applicant: Koichi TAMURA

Title: CELL SEARCH METHOD IN CDMA CAPABLE OF CARRYING
OUT A CELL SEARCH PROCESSING AT A HIGH SPEED

Serial No.: 09/661,464

RECEIVED

Filed: September 13, 2000

NOV 20 2002

Examiner: Unassigned

Technology Center 2600

Art Unit: 2664

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR 1.97 and 1.98.

The submission of any documents herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The instant Information Disclosure Statement is believed to be filed in accordance with 37 C.F.R. 1.97(b), prior to the mailing date of a first Office Action on the merits (first scenario). If that is not the case, such as in a second scenario in which a first Office Action on the merits has been mailed before the filing of the instant Information Disclosure Statement, then either a certification or fee is required, and a certification is provided below. If neither of the first or second scenarios is the case, such as if a final Office Action or a notice of allowance has been mailed by the PTO (third scenario), then both a certification and fee are required, and in that case a certification is provided below and also the PTO is authorized to obtain the necessary fee to have the instant IDS considered, from Foley & Lardner Deposit Account #19-0741.

CERTIFICATION

The undersigned hereby certifies in accordance with 37 C.F.R. §1.97(e)(1) that items of information A2, A3 and A4 provided on a PTO-SB/08 form submitted with this Information Disclosure Statement were first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement. Item of information A1 is a U.S. patent that is a counterpart to document A4.

RELEVANCE OF EACH DOCUMENT

A translation of a portion of a Japanese Office Action that issued September 11, 2002 with respect to a counterpart Japanese patent application is provided below.

- "A. The inventions as per the following claims of this application could have been easily invented based on the inventions described in the publications indicated below, which had been distributed in Japan or abroad prior to the filing of this application, by a person having ordinary knowledge in the technical field of the invention prior to the filing of this application, and therefore cannot be patented, as per the stipulations of Article 29, Section 2 of the Patent Law.

List of Cited Literature

1. Japanese Unexamined Patent Application Publication H11-234762
2. Japanese Unexamined Patent Application Publication H9-116526
3. Japanese Unexamined Patent Application Publication H9-275582

Regarding Reason A

Claims: 1 and 4
Cited Literature: 1

Remarks

It is found that Cited Example 1 describes the art of performing cell search processing using cell search results information of the previous communication.

Furthermore, Cited Example 1 also describes performing cell search processing using the previous PN value (Paragraphs 0023, 0024, etc.), and it is found that a perch channel code is no more than one mode of embodiment thereof.

Therefore, it is found that there is no substantial difference between the inventions as per the aforementioned claims of the present application and the art described in Cited Example 1.

Claims: 2, 5, 6, 7, 8 and 13
Cited Literature: 1, 2 and 3

Remarks

In the art whereby the previous communication state is remembered and used during subsequent communication, the constitution whereby said state is reset after expiration of a specified period of time is a well known technical feature, as described in Cited Examples 2 and 3, and adopting said technical feature for the cell search in Cited Example 1 to achieve the inventions as per the aforementioned claims is found to be something which could be easily conceived of by a person skilled in the art.

(Cited Example 2 is an example of an assigned hopping pattern, while Cited Example 3 is an example of a measured pilot channel; these are found to comprise the same technical idea as the inventions of the present application in the point of performing subsequent communication in the same state as the prior communication state and deciding whether or not to use the remembered state when communication has not been carried out for a specified period of time.)"

Applicant's statements regarding the Japanese Office Action are based on a partial translation that Applicant's representative obtained. These statements should in no way be considered as an agreement by Applicant with, or an admission of, what is asserted in the Japanese Office Action.

Applicant respectfully requests that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO SB/08 be returned in accordance with MPEP §609.

Respectfully submitted,

November 18, 2002
Date

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